1. CALL TO ORDER
2. Approval of Agenda for March 20, 2018
3. Approval of Draft Minutes for February 13, 2018 and February 20, 2018 (Appendix A & B)
4. President’s Remarks: Interim John Engler
5. Provost’s Remarks: Dr. June Youatt (out of town)
6. Chairperson’s Remarks: Dr. Laura McCabe
7. NEW BUSINESS
   7.2. UCC Letter Regarding Difficult Topics, Marci Mechtel, University Committee on Curriculum (UCC) Chairperson (Action Item) (Appendix D)
   7.3. Formation of an Ad Hoc Committee to Review and Recommend Changes on Board of Trustee and University Bylaws (Action Item) (Appendix E)
   7.4. Reclaim MSU Policy Proposal, (Information Item) (Appendix F)
8. ADJOURNMENT
1. CALL TO ORDER
   The meeting was called to order at 3:15pm.

2. Approval of Agenda for February 13, 2018
   The agenda for February 13, 2018 was approved with an amendment requested, as listed below:

   Professor Shawnee Vickery requested that her statement be transcribed as stated below:

   “My name is Shawnee Vickery and I request that the agenda be amended to change the wording of 6.1 so that 6.2 does not occur, at least not in its current form, for the following reason. The current motion on this agenda is a vote of No Confidence in the Board of Trustees. But the devil is in the details. In their January 31st memo to the faculty, the At—Large Faculty Members of the MSU Steering Committee stated “….should the Board indeed appoint ex—Governor Engler [as MSU President] we will sadly be forced to bring a motion to hold a vote of No Confidence in the Board of Trustees to Academic Congress via electronic ballot.” The At-Large Members of the Steering Committee brought a No Confidence Motion before the faculty on that same date. This email with the link for voting referred to the immediacy of recent events involving the selection (and selection process) of the Interim President as the rationale for the vote of No Confidence.

   I am not sure if the At-Large Members of the Steering Committee realize how insensitive and tone deaf this motion makes them appear. For months, the Steering Committee and the faculty have been aware of the failure of MSU administrators over the years to stop
and prevent the rape and sexual molestation of young women and little girls at the hands of Larry Nassar. During this time, both before and after the resignation of President Lou Anna Simon, there was no call for a vote of No Confidence in the Board due to this egregious lapse in leadership and accountability. Casting a vote of No Confidence because you object to the selection and selection process for the Interim President sends the message that you did not have a problem with the Board of Trustees staying in place UNTIL the Board had the audacity to ignore your input and appoint former Governor John Engler as Interim President. THEN, and ONLY THEN, did the Steering Committee call for a vote of No Confidence in the Board.

This action by the At-Large Members of the Steering Committee is outrageous on several levels. First, the At-Large Members’ promise at the beginning of their email to the faculty to “to change the culture of Michigan State University so that this [by which they meant the horrific sexual abuse of girls and young women at the hands of Larry Nassar] will never happen again” made it seem to faculty reading the email that the vote of No Confidence in the Board of Trustees was about MSU’s egregious failure to stop and prevent this criminal behavior. Only a careful reading of the email reveals that the vote of No Confidence is NOT about these little girls and young women and what they suffered. Instead, it is about the Board’s process for appointing and its selection of former Governor Engler as Interim President. In essence, the At-Large Members of the Steering Committee used these brave women to achieve their political aims. How low can you go to further a political agenda? The At-Large Members of the Steering Committee should be ashamed.

In their email, the At-Large Members of the Steering Committee stated that they demanded that the Board appoint a woman with extensive academic leadership experience and experience devising and implementing programs to mitigate sexual harassment and sexual abuse. If someone demanded that a man be appointed, the At-Large Members would no doubt call him or her a sexist. But make no mistake. Those who blatantly call for gender discrimination are the real sexists. Furthermore, what happened to these women and children is not about sexual harassment. It is about sexual abuse which includes rape and child molestation. Let’s not confuse sexual harassment and sexual abuse. Sexual abuse is a criminal offense. When there is an allegation of sexual abuse – the police need to be called, and called IMMEDIATELY.

Because of their deceptive email to the faculty, some faculty thought they were voting “YES” on a vote of No Confidence in the Board of Trustees based on MSU’s egregious failure to stop and prevent Larry Nassar’s criminal behavior. But it is actuality a vote of No Confidence in the Board because of their appointment of Governor Engler as Interim President. (This is exactly what the At-Large Members’ email states. I have a copy here for anyone who would like one).

It is laughable that the one action the Board of Trustees took that is truly in MSU’s best interests, namely, the appointment of an external, experienced administrator with sterling character is the one action the At-Large Members of the Steering Committee are upset about. President Engler has many talents including the financial and budgeting experience to ensure that MSU will be able to meet the legitimate claims of these brave women and girls against the university so their healing can progress uninterrupted. But unfortunately, the vote of No Confidence that was planned for today is not about the
failure of MSU’s leadership team to prevent rape and child molestation, rather it is about the appointment (and process of appointment) of former Governor Engler. Shame on us if we vote for this!

To avoid public embarrassment for the Steering Committee and the Faculty Senate, I make a motion to amend the agenda to place a new vote of No Confidence before the faculty, and then, the Faculty Senate that is based on MSU’s failure, and ultimately the Board’s failure, to prevent and stop the criminal behavior of Larry Nasser. This is a vote of No Confidence that I and many others will support for the right reason.

THE NEW VOTE OF NO CONFIDENCE READS AS FOLLOWS:

We vote No Confidence in the Board of Trustees of MSU due to MSU’s failure, and ultimately the Board’s failure, to prevent and stop the criminal behavior of Larry Nasser.

I ask that the agenda be amended to replace the current vote of No Confidence with this one. It is the least we can do to show our support for the brave women and girls who suffered so horrifically at the hands of Larry Nasser.”

The Faculty Senate recommended that Professor Vickery bring this statement and request to The Steering Committee.

Professor Greg Swain then requested that a motion be made that allows open discussion that normally takes place at the end of this meeting, moving it up to the beginning of the meeting.

The motion was first and seconded. The motion carried.

3. Interim President’s Remarks: John Engler – out of town

4. Provost’s Remarks: Dr. June Youatt
   Dr. Youatt forewent her comments.

5. Chairperson’s Remarks: Dr. Laura McCabe
   Dr. McCabe thanked everyone for attending today's emergency Faculty Senate meeting. She also thanked those who have been sending comments, and providing important feedback. She noted that the Steering Committee reads these comments, and that sometimes it is difficult to reply to everybody, adding that the Steering Committee incorporates these comments in the Steering Committee’s thinking.

Dr. McCabe reported that Faculty voice is very critical in the Governance of Higher Education, and that obtaining this kind of input from a variety of stakeholders is very important. It allows for better decision making; it helps institutions to make and meet their strategic goals.

Dr. McCabe discussed the background of the situation: the At-Large Steering Committee met with the Board of Trustees on the 29th of January, providing feedback about the selection of the interim President. She stated the position that faculty has a voice in such an important decision as the selection of an interim President of MSU, and though faculty does not have a vote on the selection, it does have the right to provide essential input.

Dr. McCabe noted that the Board of Trustees did not listen to faculty input, and only found about the selection of the interim President the following day in the media, adding that the
Board of Trustees made their selection without appropriate consultation from the MSU community.

As a consequence, Dr. McCabe stated that the Steering Committee spent time discussing this issue, and the At-Large Members had made a statement to the Board of Trustees. She said that given the magnitude of this issue, the At-Large Members of the Steering Committee had sent that email to all the Academic Congress, asking if they would agree that a vote of no confidence in the Board of Trustees should be put on the Faculty Senate agenda here today.

Dr. McCabe reported that of the 2,776 voting MSU faculty, 1907 votes were received. And of those, the “yes” votes totaled 1,653, which is approximately 60% of the total voting faculty, thus providing a voting majority for faculty to move forward. Faculty voting “no” was approximately 7% of the total vote, and 2% abstained.

Dr. McCabe stated that the purpose of this special Faculty Senate meeting was to discuss and move on a vote of no confidence of the MSU Board of Trustees. Dr. McCabe made clear that the proposed vote of no confidence stands alone, without additions, as was mandated by the vote of Academic Congress.

Dr. McCabe requested discussion of the no confidence vote, and extensive discussion ensued. The question was called regarding the faculty vote of no confidence and a vote was made by the Faculty Senate.

6. NEW BUSINESS

6.1 Action to take a vote of Faculty Senate Members regarding a vote of no confidence in the MSU Board of Trustees.

6.2 There were 70 voting Faculty Senate Members who voted (a near perfect attendance), plus five Non-Voting Members:

The vote was 94% “yes” (61 votes) for no confidence in the MSU Board of Trustees, and 4% “no” (4 votes) against the vote of no confidence.

7. Comments from the Floor

It was recommended that the next step for The Steering Committee is to communicate the Faculty Senate vote of no confidence to the MSU Board of Trustees.

Lorenzo Santavicca, President of ASMSU, commended the MSU faculty for this action. He added that he would also like to correct the fact that ASMSU was, in fact, the first governing organization at MSU to make a statement of no confidence with the Administration and with the Board of Trustees, as far as the latter’s handling of sexual assault on the MSU campus, and especially regarding the case of Larry Nassar on our campus.

He noted that the students at MSU have been at the forefront of this situation, and ASMSU commends their student peers for their efforts.

8. ADJOURNMENT

A motion was made to adjourn and was first and seconded. The motion carried. The meeting adjourned at 4:21pm.
Approved:
2017-2018: Meeting # 5

MICHIGAN STATE UNIVERSITY
FACULTY SENATE DRAFT MINUTES
FEBRUARY 20, 2018 3:45 PM
115 INTERNATIONAL CENTER


1. CALL TO ORDER
The meeting was called to order at 3:45 pm.

2. Approval of Agenda for February 20, 2018
The agenda for February 20, 2018 was approved as presented.

3. Approval of Draft Minutes for January 16, 2018
The minutes for January 16, 2018 were approved as distributed.

4. President’s Remarks: Interim John Engler (out of town)

5. Provost’s Remarks: Dr. June Youatt

Provost Youatt reported that she had a conversation with the Deans, Directors, and Chairs from across campus (all of MSU’s academic leadership). She said that this conversation was not about the Provost sharing information, but that it was really about the assembled group deciding on some of the key issues and how they would define the challenges facing MSU, offering their recommendations, but also suggesting what could be done in the next 30 days. The topics covered included such issues as financial transparency, cultural change, fostering and advancing leadership, effective governance, survivor support, and delivery of behavioral health services to our students.

6. Chairperson’s Remarks: Dr. Laura McCabe
Dr. McCabe reported that efforts are underway to streamline communication between the Steering Committee and the faculty At-Large. She said that a listserv has just been developed so that the Steering Committee can now directly communicate to the entire MSU community, which will help us to enhance more timely communication. She noted that interim President Engler asked for specific examples of top down administration at MSU that has resulted in the absence of faculty input. Thus, a survey will be distributed to the Academic Congress where input can be provided and feedback about specific situations.

7. NEW BUSINESS

7.1. Slate of Nominees for The Steering Committee At-Large, for Endorsement, Dr. Laura McCabe
The Slate of Nominees for The Steering Committee At-Large was presented to Faculty Senate members for Endorsement. A motion to approve the Slate was made and first and seconded. The motion carried.

7.2. Slate of Nominees for the Athletic Council, for Endorsement, Dr. Laura McCabe
The Slate for the Athletic Council was present to Faculty Senate members. A motion to approve the Slate was made and first and seconded. The motion carried.

7.3. University Committee on Curriculum (UCC) Report, Professor Marci Mechtel, UCC Chairperson (Long Report, click on Link)
The UCC Report was presented to Faculty Senate Members.

Professor Mechtel reported that on February 1st, 2018 the Full Committee of UCC met and approved the following: Four new programs: a Journalism Minor effective fall of 2018; a Clinical Medicine Master of Arts effective Summer Semester of 2018, a Legal Studies Masters effective Fall Semester of 2018; and a Sports Journalism Minor effective Fall Semester of 2018. She added that UCC approved 13 program changes, and three program deletions. She said that 19 new courses were approved, 111 course changes were approved, and that 9 course deletions were approved.

Regarding moratoriums, Professor Mechtel stated that a moratorium in Quantitative Biology was approved. She added that a moratorium in Latin as a disciplinary teaching Minor was approved, effective Fall Semester of 2018 (through Spring Semester) to Fall Semester of 2018, as well as a discontinuation in the American Studies Ph.D., a Russian Disciplinary Teaching Minor, and a History Disciplinary Teaching Minor, both effective either Summer Semester or Spring Semester of 2018.

A motion to approve the Report was made and first and seconded. The motion carried.

7.4. Next Steps Following the Vote of No Confidence in the Board of Trustees – Discussion (and University Committee on Academic Governance (UCAG) and Faculty Comments)
Dr. McCabe said that she wanted to discuss two items regarding the vote of no confidence. The first item involves the brief discussion of interactions that the At-Large members of the Steering Committee had with the Board of Trustees. The second item involves the faculty input that has been received through the MSU Academic
Governance website. She noted that the Steering Committee and the At-Large Members of the Steering Committee developed a structure of conversation based on this input. She said that the one thing that needed to be addressed about the MSU Board of Trustees involves the function of the Board of Trustees and shared Academic Governance regarding including MSU community members in decision making.

Dr. McCabe said that the Board of Trustees is responsible for the effectiveness of institutional policies, and they should hold themselves accountable to ensuring shared governance that reflects core academic values and supports institutional progress. She noted the response from Board of Trustee member Dianne Byrum. Byrum’s reply is as follows: "I completely understand the anger and frustration amongst students, faculty, and staff whose trust and confidence in MSU has been understandably shaken. For too long, MSU has failed to be transparent, accountable and compassionate and we need to change that. I'm committed to doing my part to increase transparency, promote accountability and improve communications so this tragic situation never happens again."

Dr. McCabe also reported that discussions were held with Trustee Brian Breslin, who has taken a no pay leave to focus on MSU and facilitate MSU faculty input moving forward. She added that Trustee Brian Breslin met with the At-Large Members of the Steering Committee, and following his apology discussed ways to move forward. Trustees Mitch Lyons and Dan Kelly also offered apologies.

Dr. McCabe said that she desired to receive ideas from faculty regarding what next steps should be taken. One of the steps that she offered was the establishment of a performance plan for the MSU Board of Trustees, noting that faculty are constantly being reviewed for their performance, but that there are no reviews for the Board of Trustees in place. She added that a performance plan should be for the MSU faculty to review the Board of Trustees. Discussion ensued.

**Professor Andaluna Borcila stated:**

“My name is Andaluna Borcila and I'm from James Madison College and this is my colleague Anna Pegler-Gordon. You've probably seen us stand up here a few times in the last month or so.

… I think we should ask the Board to step down in no uncertain terms, because this was the process outlined in the letter of the Steering Committee, and the faculty at this University and in the Senate voted no confidence. We voted no confidence, and I was very surprised that this vote of no confidence was not made clear to this Board, and I assumed that when we made the vote of no confidence that we will be asking them to step down.

… The Board's response, which I find patronizing but I also think there's a problem with how the message was communicated to them. The Board's response is not the only reason or the first reason we should ask them to do that, but it's symptomatic. They basically are confident they can restore our trust in them. How can they be so confident when we tell them we have no confidence in them? Are they taking us seriously? I really don’t think they are. It seems very important at this juncture we just found our voice. We have a mandate to take a strong stance. Resign. Let's see what they will do, because
we got our voice and then we’re like oh yeah, maybe we can review and I agree we have reviewed them.

… Additionally, as they resign, that's my personal opinion that we should ask them to resign and that they should resign. That's my opinion. Speaking of what we need to do, I think we should ask them to resign and as we do that we should ask them to also adapt a few changes in Bylaws and a process for electing the President that we can write into these Bylaws.

… I ask us to ask them this not as a way for us to regain our confidence in them but so that they can undo some of the wrong that they've done and be accountable for that. In the spirit, we propose some changes. We have tried to pull this rather quickly. We've worked with a couple of different student groups and basically, Anna will go into this to distribute them. They're not many. They're in fact two. One has to do with, I was saying, the process of electing the President, and the other one has to do with a more inclusive representation of faculty and student voice. They're modest changes. We realize they need to be vetted but we felt a sense of urgency and wanting to bring something concrete to the table. As we ask them to resign, we ask them to adapt these so that whatever happens next we are protected and have a voice.

… Finally, I just want to say this that I appreciate the … well, I don't, President Engler wanting us to tell him specific instances of top down government at this institution, but we as a faculty have a voice and we are aware that we need to really look at Academic Governance both in terms of its structure and the culture. I think we have to work on these changes and bylaws and in culture, which fractured our voices and made it really weak. We do not need President Engler to tell us this and to ask us for specific examples. We need to own our voice as faculty at this institution.”

Professor Anna Pegler-Gordon also made a statement, as follows:

“The reason we suggested these specific changes is because we think it is a matter of urgency that we move on proposing specific changes to the Board of Trustees' Bylaws. We realize there are larger issues that need to be addressed, but this is a matter of great urgency. The two that we are proposing that you can see, and I apologize that we didn't print out enough for every single person, but the two that we are proposing are: the first one is to make a board that surrounds the Board of Trustees that is more inclusive that includes … we could call it obviously, this is a proposal, we could call it the ‘University Board’ that would not only include the Board of Trustees but two faculty members, a representative of the ASMSU undergraduate student body and representative of COGS graduate student body. That would not be like participatory, advisory, or “we'll listen to you”. That will be a full voting body to actually take full decisions on all of the important matters that concern the University.

… Now, constitutionally we understand that the Board of Trustees is responsible for electing the President. What we have said, the second major proposal that we have put here is that the Board of Trustees' Bylaws affirms that the search for the President shall be conducted with faculty students and staff playing a central role throughout the process including on the Search Committee and defining the criteria for the President, but also very critically that the University Board would have a vote on this. I think this
is absolutely critical that there should be a mechanism for this decision to go before Academic Governance.

… If two thirds of the Academic Congress … two thirds of the MSU community oppose the decision that the University Board makes, the Board should not be able to ram down the community's throat a really bad choice for our next President. We really honestly believe these are modest changes that it just seems completely unreasonable that a body that is not elected by us should then be able to force us to take a terrible choice. We think that a two thirds majority not of the voting members, but of the entire Academic Congress, is a reasonable limit to say that you should not be able to force a substantial majority of the university to accept the President that they find unacceptable.

… At that point, the Board of Trustees would elect, if at least one third approve, which is a low bar, but at least one third approved then the Board of Trustees shall elect the President. We think that this is modest, it's urgent and as best we can tell; it's constitutional acceptable.”

Vigorous discussion ensued where it was recommended that faculty concerns about the Board of Trustees’ Bylaws be sent to the University Committee on Academic Governance for their review and recommendations.

A motion was made and seconded to vote for a vote for the resignation of the MSU Board of Trustees, and to send this recommendation to the Steering Committee as an action item. The motion carried.

FINAL WORDING FOR FACULTY SENATE VOTES:

VOTE #1: Vote to have a vote for Board of Trustees resignation
1. A = yes, B = no
Voting took place and 85% in attendance voted for a vote on the Board of Trustees resignation.

VOTE #2: Vote to ask board of trustees to resign
2. A = yes, B = no, and C = Abstain;
Voting took place and 83% in attendance voted “yes” to ask the Board of Trustees to resign.

FINAL VOTE #3: after much discussion on wording:
Vote on if there is only one specific reason for the BOT resignation
3. A = Yes, B = No and C = Abstain
77% in attendance voted “no” on a specific reason on the resignation request.

8. ADJOURNMENT
A motion was made to adjourn and was first and seconded. The motion carried. The meeting adjourned at 5:30 pm.
Highlights:

History, Minor, effective Fall 2018.

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C = Change  D=Deletion  N=New

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INFORMATION ITEMS
March 20, 2018

Moratorium –

Moratorium in International Business, M.S., UCGS consultation 2/4/18; Provost approved 2/9/18 – Effective Fall 2018 through Fall 2019.

Discontinuation –

None.

Other – None.

None.
Hello Colleagues,

As members of the University Curriculum Committee, we wanted to reach out to you as you think about establishing and maintaining relationships with your students. Many MSU students have expressed concerns about unfolding events at MSU and beyond. While we recognize that we, as faculty, may have few answers for our students, we can make our courses places where students can connect with each other, raise questions and concerns, and, through faculty, bring these issues to the attention of the administration. We the committee believe that personal integrity, human values, and ethical conduct constitute the unifying foundation of our entire curriculum, on which individual disciplines grow and branch off. Therefore, courteous and honest exchange of opinions should be a part of any class curriculum. It is also understood, as faculty, we are responsible for the curriculum, and the ultimate decision on whether and how to address these questions rests with individual instructors.

Many faculty members have already begun to have conversations with their students about MSU’s response to victims of sexual harassment and abuse, about the recent changes in leadership, and about MSU’s reputation in the wider world. We want to commend these efforts and encourage others to think about ways to create spaces for your students to speak. Students may have wide-ranging concerns from worry over whom to safely approach if they feel endangered on campus to concerns about how to answer questions about the university while interviewing for jobs and internships. We encourage faculty members to make space for these conversations in ways that feel comfortable for them and their students.

Some strategies that have worked for colleagues include:

- Engaging in informal conversations before or after class
- Inviting students to visit during office hours for extended conversations
- Opening up conversations in class about current events -- either in small groups or as a class
- Asking students if they would like to talk about or make announcements for various campus events, such as marches or town halls
- Providing opportunities for students to talk about how events at MSU (and beyond) are impacting their lives

We recognize that some faculty will be more comfortable with these conversations than others and that some disciplines may lend themselves more to these sorts of conversations, but we hope that all faculty members will think broadly about how to provide an educative and supportive environment for our students.

Respectfully,
The University Committee on Curriculum
ReclaimMSU Policy Proposal

The Board of Trustees at Michigan State University has appointed the most recent permanent and interim Presidents of this university without a search. The current board closed ranks around the previous President at a critical juncture, showing their loyalty to her rather than their loyalty to this institution, to our community, and to survivors of sexual assault. In addition, in the appointment of the interim President, they refused to listen to the advice of faculty, students, and deans. It is critical that the bylaws of the Board are changed to allow full participation of faculty and students in governance. To achieve this, we propose the creation of a University Board (see Appendix B).

It is also critical that members of the MSU community play a central role throughout the process of searching for and selecting a new President, including: articulating the qualities and qualifications required for a President; having representatives from the faculty, students and staff on the search committee; and, engaging with top candidates in open forums. Moreover, we believe that if two thirds of the members of the Academic Congress should oppose the selected candidate for President, the Board of Trustees should not be able to select this candidate as President of our university (see Article 3 of the amended bylaws in Appendix B).

To ensure that this never happens again, Article VIII § 5 of the Constitution of the State of Michigan should be amended to create four additional positions on the controlling boards for each institution governed by section 5 (University of Michigan, Michigan State University, and Wayne State University). The four additional positions should be filled by an undergraduate student, a graduate student, and two faculty members from different colleges within their universities. These new board members will be elected within their institutions, separately from the statewide elections of other board members, and will serve terms of two years. The new board members will have full voting rights on their controlling boards and be involved in all board processes, including selection of a president and decisions regarding university expenditures and investments. Furthermore, Article VIII § 5 should be amended to limit terms for members of controlling boards to four years, and limit each member to serving two terms.

More information at: reclaimmsu.com/policy-proposals